

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 11-1521

ELBERT HICKS,

Plaintiff - Appellant,

v.

JOHN E. POTTER, U.S. Postal Service,

Defendant - Appellee.

Appeal from the United States District Court for the Eastern District of Virginia, at Norfolk. Jerome B. Friedman, Senior District Judge. (2:10-cv-00246-JBF-FBS)

Submitted: October 26, 2011

Decided: November 7, 2011

Before SHEDD, DUNCAN, and WYNN, Circuit Judges.

Dismissed by unpublished per curiam opinion.

Elbert Hicks, Appellant Pro Se. Joel Eric Wilson, Assistant United States Attorney, Norfolk, Virginia, for Appellee.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Elbert Hicks seeks to appeal the district court's order dismissing without prejudice his employment discrimination complaint. This court may exercise jurisdiction only over final orders, 28 U.S.C. § 1291 (2006), and certain interlocutory and collateral orders. See 28 U.S.C. § 1292 (2006); Fed. R. Civ. P. 54(b); Cohen v. Beneficial Indus. Loan Corp., 337 U.S. 541, 545-46 (1949). Because Hicks may proceed with this action by amending his complaint to provide specific facts showing his entitlement to the relief he seeks, see Fed. R. Civ. P. 8(a), the order he seeks to appeal is neither a final order nor an appealable interlocutory or collateral order. See Domino Sugar Corp. v. Sugar Workers Local Union 392, 10 F.3d 1064, 1066-67 (4th Cir. 1993). Accordingly, we dismiss the appeal for lack of jurisdiction. We dispense with oral argument because the facts and legal contentions are adequately presented in the materials before the court and argument would not aid the decisional process.

DISMISSED